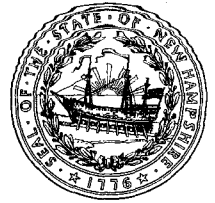




The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

**LETTER OF DEFICIENCY**  
**WET 06-067**

July 3, 2006

Lee Holombo  
Pro Land Realty LLC  
PO Box 381  
Rindge, NH 03461

RE: DES Wetlands File #2006-01317 346 Back Ashuelot Road, Winchester

Dear Mr. Holombo:

On May 31, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Winchester Tax Map 7 as Lot 27 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Env-Wt 100-800.

During the inspection the following deficiencies were documented:

1. A terraced bank had been constructed on a building site. The bank and graded soils on the building site were unstable and no erosion controls had been installed. The terraced bank had eroded, resulting in a scoured channel being created alongside the town road and sediment deposition in a stream. Approximately 300 square feet of sediment deposition had occurred in the stream.

In response, you are requested to take the following actions:

1. **Immediately** permanently stabilize the site and terraced bank with rock and/or vegetation and mulch, install erosion controls and protective measures to prevent further water quality violations. Remove all visible sediment deposition in the stream channel using hand tools only.
2. **Within 10 days** of the date of this Letter of Deficiency, submit photo documentation to DES Wetlands Bureau showing that the site has been stabilized and adequate erosion controls have been installed.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or

criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dawn Buker  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Dawn Buker at (603) 271-4066.

Sincerely,



Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7006 0100 0005 8153 5207

cc: Rene Pelletier, Asst. Director, Water Division  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Winchester Conservation Commission  
Winchester Board of Selectmen  
USACOE